



NEBRASKA EQUAL OPPORTUNITY COMMISSION MEETING OF AUGUST 19, 2016

Commissioner Drumheller called the meeting to order in August 19, 2016, Nebraska at 9:00 a.m. on August 19, 2016. It was established after a roll call that there was a quorum.



Commissioners Present
Eric Drumheller, Chairperson
Arnold Nesbitt
Janet Palmtag
Michael Carpenter

Rita Griess, Vice Chairperson Kristin Yates

Royce Jeffries

Staff Present

Stan Odenthal, Executive Director Shelley Foss, Unit Director Andrea Berry, Investigator III Paula Gardner, Unit Director Ben Watson, Unit Director Cat Souliere, Staff Assistant

II. AFFIDAVIT OF PUBLICATION

The Affidavit of Service from the Lincoln Journal Star was read to show that the public was made aware of the August 18, 2016 Commission meeting.

III. APPROVAL OF MINUTES

Commissioner Carpenter moved to approve the July 22, 2016 Commission meeting minutes.

Commissioner Nesbitt seconded the motion.

ROLL CALL:

Ayes: Carr

Carpenter, Yates, Drumheller, Griess, Nesbitt

Nayes:

Abstained: Jeffries, Palmtag

Motion Carried



MAIN OFFICE:

301 Centennial Mall, South ☐ PO Box 94934
Lincoln, NE 68509-4934
Phone: 402-471-2024
Fax: 402-471-4059
800-642-6112
www.NEOC.nebraska.gov

BRANCH OFFICES:

1313 Farnam-on-the-Mall ☐ Omaha, NE 68102-1836 Phone: 402-595-2028 Fax: 402-595-1205 800-382-7820

505A Broadway Suite 600 Scottsbluff, NE 69361-3515
Phone: 308-632-1340
Fax: 308-632-1341
800-830-8633

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IV. ADDITIONS OR CORRECTIONS

Under Section XIV. <u>BUSINESS</u>, please add 9. Personnel Matters.

V. <u>PUBLIC INPUT</u> (Non Case)

Limit of 5 minutes per person for a total of a 30 minute session.

None at this time.

VI. INTRODUCTION TO PUBLIC INPUT (Agenda Cases)

The cases wherein a party to the case was present were moved to the front of the agenda under Section VII. <u>CASE DISPOSITIONS</u>.

VII. CASE DISPOSITIONS

NEB 1-15/16-2-47591 (Respondent was present.)

Commissioner Griess moved for no reasonable cause.

Commissioner Carpenter seconded the motion.

ROLL CALL:

Ayes:

Jeffries, Carpenter, Yates, Drumheller, Griess, Palmtag,

Nesbitt

Nayes: Abstained: Motion Carried

NEB 1-15/16-1-47539 (Respondent was present.)

Commissioner Carpenter moved for no reasonable cause.

Commissioner Jeffries seconded the motion.

ROLL CALL:

Ayes:

Jeffries, Carpenter, Yates, Drumheller, Griess, Palmtag,

Nesbitt

Nayes: Abstained: Motion Carried Commission Meeting Minutes August 19, 2016

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NEB 1-15/16-11-47405 (Complainant and Respondent were present.)

Commissioner Nesbitt moved for no reasonable cause.

Commissioner Drumheller seconded the motion.

ROLL CALL:

Ayes:

Jeffries, Carpenter, Yates, Drumheller, Griess, Palmtag,

Nesbitt

Nayes: Abstained: Motion Carried

NEB 1-15/16-11-47424 (Complainant was present.)

Commissioner Carpenter moved for no reasonable cause.

Commissioner Drumheller seconded the motion.

ROLL CALL:

Ayes:

Jeffries, Carpenter, Yates, Drumheller, Griess, Palmtag,

Nesbitt

Nayes: Abstained: Motion Carried

NEB 1-15/16-10-47365 (Complainant was present.)

Commissioner Carpenter moved for no reasonable cause.

Commissioner Nesbitt seconded the motion.

ROLL CALL:

Ayes:

Jeffries, Carpenter, Yates, Drumheller, Griess, Palmtag,

Nesbitt

Nayes: Abstained: Motion Carried

NEB 1-15/16-10-47366 (Complainant was present.)

Commissioner Nesbitt moved for no reasonable cause.

Commissioner Carpenter seconded the motion.

ROLL CALL:

Ayes:

Jeffries, Carpenter, Yates, Drumheller, Griess, Palmtag,

Nesbitt

Nayes: Abstained: Motion Carried

The Commission took a short break.

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NEB 2-15/16-2-3252-PA

NEB 1-15/16-4-3270-PA

NEB 2-15/16-11-47138

NEB 2-15/16-11-47139

NEB 1-15/16-1-47550

NEB 3-15/16-8-46997

NEB 2-15/16-9-47091

NEB 2-15/16-1-3243-HM

NEB 2-15/16-5-3273-PA

NEB 1-15/16-10-47383

NEB 2-15/16-3-3263-H

NEB 2-15/16-10-3207-H

NEB 1-15/16-6-3279-H

Commissioner Drumheller moved for no reasonable cause on the above cases. Commissioner Griess seconded the motion.

ROLL CALL:

Ayes:

Jeffries, Carpenter, Yates, Drumheller, Griess, Palmtag,

Nesbitt

Nayes: Abstained: Motion Carried

VIII. SUCCESSFUL AGREEMENTS

NEB 1-15/16-6-3289-H

Commissioner Drumheller moved to adopt the agreements. cm seconded the motion.

ROLL CALL:

Ayes:

Jeffries, Carpenter, Yates, Drumheller, Griess, Palmtag,

Nesbitt

Nayes: Abstained: Motion Carried Commission Meeting Minutes August 19, 2016 Page - 5 -

IX. ADMINISTRATIVE ACTIONS

A. WITHDRAWALS

NEB 2-14/15-6-45723

Commissioner Yates moved to administratively close the above cases based on withdrawal by Complainant.

Commissioner Drumheller seconded the motion.

ROLL CALL:

Ayes:

Jeffries, Carpenter, Yates, Drumheller, Griess, Palmtag,

Nesbitt

Nayes: Abstained: Motion Carried

B. LACK OF JURISDICTION

NEB 1-15/16-6-3290-H

Commissioner Drumheller moved to administratively close the above cases based on lack of jurisdiction.

Commissioner Carpenter seconded the motion.

ROLL CALL:

Ayes:

Jeffries, Carpenter, Yates, Drumheller, Griess, Palmtag,

Nesbitt

Nayes: Abstained: Motion Carried

C. COMPLAINANT FILED IN COURT

NEB 3-15/16-2-47494

Commissioner Drumheller moved to administratively close the above cases based on Complainant filing in court.

Commissioner Carpenter seconded the motion.

ROLL CALL:

Ayes:

Jeffries, Carpenter, Yates, Drumheller, Griess, Palmtag,

Nesbitt

Nayes: Abstained: Motion Carried

D. EEOC

NEB 1-14/15-2-45579

NEB 1-14/15-4-45887

NEB 2-15/16-9-47087

NEB 2-14/15-6-45701

NEB 2-14/15-10-45126

NEB 1-15/16-3-47629

NEB 1-15/16-12-47510

NEB 2-14/15-12-45426

Commissioner Drumheller moved to adopt the findings of the EEOC. Commissioner Nesbitt seconded the motion.

ROLL CALL:

Ayes:

Jeffries, Carpenter, Yates, Drumheller, Griess, Palmtag,

Nesbitt

Nayes: Abstained: Motion Carried

X. CONCILIATION

None at this time.

XI. CONCILIATION CASES TO BE CONSIDERED FOR PUBLIC HEARING

None at this time.

XII. PUBLIC HEARING

None at this time.

XIII. CIVIL ACTION

None at this time.

XIV. BUSINESS

1. Introduction of New Employee

Director Odenthal introduced a new employee to the Commission.

2. EEOC Contract and Upward Modification

Director Odenthal told the Commission that the agency was offered, and accepted, a small upward modification to our contract.

3. Strategic Plan Update

Director Odenthal said that he sent a survey to the staff to see what the staff considered the agency strengths and weaknesses. He is working on a draft plan for the Commission to review with intent to have the plan fully ready going into the legislative session.

4. Temporary Investigator Hiring Process

Director Odenthal informed the Commission that the agency had posted an ad for a temporary employee. Due to circumstances, the position will now be a permanent one.

5. Director's Updates

Director Odenthal indicated that he met with HUD for the agency's annual review. He also has met with several agencies regarding issues they face.

Director Odenthal told the Commission that he and several others were part of a video for NET broadcast.

Director Odenthal said that the agency purchased a pass for the agency with online training service Lynda.com.

Director Odenthal informed the Commission that he is seeking an extern from the University of Nebraska School of Law.

6. Committee Assignments

Director Odenthal reminded the Commission that, in the past, the Commission had committees to deal with various issues.

7. Biennial Budget Request Update

Director Odenthal indicated that he and the business manager have been working on the budget request for the agency.

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8. Previous Month's Budget Reports

Commissioner Carpenter moved to approve and accept the previous month's budget reports. Commissioner Nesbitt seconded the motion.

ROLL CALL:

Ayes:

Jeffries, Carpenter, Yates, Drumheller, Griess, Palmtag,

Nesbitt

Nayes: Abstained: Motion Carried

9. Personnel Matters

Commissioner Drumheller moved to go into executive session to discuss the transition of the organization to the new leadership. This is being done to protect the reputations of those involved.

Commissioner Carpenter seconded the motion.

ROLL CALL:

Ayes:

Jeffries, Carpenter, Yates, Drumheller, Griess, Palmtag,

Nesbitt

Nayes: Abstained: Motion Carried

The Commission entered executive session at 11:17 a.m.

Commissioner Drumheller moved to return to regular session.

Commissioner Jeffries seconded the motion.

ROLL CALL:

Ayes:

Jeffries, Carpenter, Yates, Drumheller, Griess, Palmtag,

Nesbitt

Nayes: Abstained: Motion Carried

The Commission returned to regular session at 11:35 a.m.

XV. ADJOURNMENT

Commissioner Drumheller declared the August 18, 2016 Commission meeting ended at 11:39 a.m.

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Respectfully submitted,

Cat Souliere
Staff Assistant

Stan Odenthal

Executive Director

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August 19, 2016

The Minutes of the Nebraska Equal Opportunity Commission meeting of August 19, 2016 have been corrected and accepted, and henceforth approved on this date.